

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

**JOSLYNN TERRELL, Individually and
as Representative of the Estate of
JAMAAL R. VALENTINE, Deceased;
ANGELA BUTLER, as next friend
of J.V. and JA.V., Minors; and CRYSTAL
TRUITT, as next friend of S.M., a Minor
Plaintiffs**

v.

**CITY OF LA MARQUE, TEXAS;
FORMER CHIEF RICHARD PRICE;
RICHARD GARCIA; FOREST
GANDY; MIKE KELEMAN; and
TASER INTERNATIONAL, INC.**

Defendants

CIVIL ACTION NO. 3:11-cv-229

**ORDER REJECTING AND OVERRULING MAGISTRATE'S REPORT AND
RECOMMENDATION REGARDING DEFENDANTS' MOTIONS TO DISMISS**

On this ____ day of _____, 2011, came on to be considered Plaintiffs' Objections to Magistrate Froeschner's Report and Recommendation Regarding Defendants' Motions to Dismiss, and the Court, after reviewing the motions, is of the opinion and finds that Plaintiffs' Objections are **SUSTAINED**.

IT IS, THEREFORE, ORDERED that Magistrate Froeschner's Report and Recommendation Regarding Defendants' Motions to Dismiss is Rejected and Defendants' Motions are hereby DENIED.

**ORDER REJECTING AND OVERRULING MAGISTRATE'S
REPORT AND RECOMMENDATION REGARDING DEFENDANTS'
MOTIONS TO DISMISS**